

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WILSON GARALLUA,

Plaintiff,

-against-

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

USDC SDNY
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16 Civ. 7949 (LAP) (BCM)

ORDER ADOPTING REPORT &
RECOMMENDATION

LORETTA A. PRESKA, Senior United States District Judge:

Before the Court is Magistrate Judge Barbara Moses's Report and Recommendation dated February 1, 2018 [dkt. no. 16] with respect to the parties' cross-motions for judgment on the pleadings [dkt. nos. 12, 14] ("R&R").

Any objections to the R&R were required to be filed within fourteen days, that is, by February 15, 2018. Fed. R. Civ. P. 72(b); 28 U.S.C. § 636(b)(1). No objections were filed.

The district court must "make a de novo determination of those portions of the report to which objection is made" and "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1); see also Civ. L.R. 72-3(a) (requiring that any objections be accompanied by a motion for de novo determination). In absence of a timely objection, the Court "need only satisfy itself that there is no clear error on the

face of the record in order to accept the recommendation." Fed. R. Civ. P. 72, Advisory Committee Notes (1983). The Court has reviewed the record on its face and finds no clear error.

Accordingly, the R&R is accepted in its entirety, and the case is remanded to the Administrative Law Judge.

SO ORDERED.

Dated: New York, New York
September 4, 2018



LORETTA A. PRESKA
Senior United States District Judge